

Introduced by Senator Runner

February 17, 2005

An act to amend Section ~~47607.5~~ 47604.33 of the Education Code, relating to charter schools.

LEGISLATIVE COUNSEL'S DIGEST

SB 430, as amended, Runner. Charter schools: ~~appeals~~ reports.

Existing law requires a charter school to annually submit certain reports to its chartering authority and the county superintendent of schools, or only to the county superintendent of schools if the county board of education is the chartering authority, including, but not limited to, a final unaudited financial report for the full prior year.

This bill would require that report to include, but not be limited to, the compensation paid the 3 highest paid employees of the charter school, thereby creating a state-mandated local program.

~~Existing law permits a charter school to appeal the denial of the renewal of its charter under certain procedures in existing law.~~

~~This bill would, during the pendency of that appeal, permit the charter school to continue to receive funds it would have otherwise been entitled to receive if the renewal been granted.~~

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 47607.5 of the Education Code is~~
2 ~~amended to read:~~
3 *SECTION 1. Section 47604.33 of the Education Code is*
4 ~~amended to read:~~
5 47604.33. (a) Each charter school shall annually prepare and
6 submit the following reports to its chartering authority and the
7 county superintendent of schools, or only to the county
8 superintendent of schools if the county board of education is the
9 chartering authority:
10 (1) On or before July 1, a preliminary budget. For a charter
11 school in its first year of operation, the information submitted
12 pursuant to subdivision (g) of Section 47605 satisfies this
13 requirement.
14 (2) On or before December 15, an interim financial report.
15 This report shall reflect changes through October 31.
16 (3) On or before March 15, a second interim financial report.
17 This report shall reflect changes through January 31.
18 (4) On or before September 15, a final unaudited report for the
19 full prior year. *This report shall include, but not be limited to, the*
20 *compensation paid to the three highest paid employees of the*
21 *charter school.*
22 (b) The chartering authority shall use any financial
23 information it obtains from the charter school, including, but not
24 limited to, the reports required by this section, to assess the fiscal
25 condition of the charter school pursuant to subdivision (d) of
26 Section 47604.32.
27 (c) The cost of performing the duties required by this section
28 shall be funded with supervisory oversight fees collected
29 pursuant to Section 47613.
30 SEC. 2. If the Commission on State Mandates determines that
31 this act contains costs mandated by the state, reimbursement to
32 local agencies and school districts for those costs shall be made
33 pursuant to Part 7 (commencing with Section 17500) of Division
34 4 of Title 2 of the Government Code.

1 ~~47607.5. (a) If either a school district governing board or a~~
2 ~~county board of education, as a chartering agency, does not grant~~
3 ~~a renewal to a charter school pursuant to Section 47607, the~~
4 ~~charter school may submit its application for renewal pursuant to~~
5 ~~the procedures pertaining to a denial of a petition for~~
6 ~~establishment of a charter school, as provided in subdivision (j)~~
7 ~~of Section 47605.~~

8 ~~(b) Notwithstanding any other law, during the pendency of an~~
9 ~~appeal authorized pursuant to subdivision (a), a charter school~~
10 ~~shall continue to receive the amount of funds it would have~~
11 ~~otherwise been entitled to receive if the renewal been granted.~~